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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,220	01/30/2004	Stephen C. Vandewinkel	P69450US0	2585
136	7590	06/01/2006	EXAMINER	
JACOBSON HOLMAN PLLC			GORDON, STEPHEN T	
400 SEVENTH STREET N.W.				
SUITE 600			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20004				3612

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/767,220	VANDEWINCKEL ET AL.	
	Examiner Stephen Gordon	Art Unit 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 April 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4,7 and 29-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) 1,2,4,7 and 29-44 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 January 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6-16-05</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election without traverse of group I and the species of figure 2 in the reply filed on 4-17-06 is acknowledged.

The claims drawn to the non-elected group(s) have been canceled. Additionally note, in an effort to expedite prosecution, claims 37,39, and 44 (each drawn to a non-elected embodiment) have been rejoined with the application as the base claims from which they depend have been determined to define allowable subject matter as noted below.

A complete action on the merits for the rejoined claims is included herein.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: edge 108 (pages 15 etc.). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. Figure 1 should apparently be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action

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to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The disclosure is objected to because of the following informalities: in paragraph 35 – line 10, "56" should be –66--. In paragraph 37 – line 8, "56" should be –66--.

Appropriate correction is required.

5. Claims 1-2, 4, 7, and 29-44 are objected to because of the following minor informalities:

Claim 1 – line 18, "said flat bed" should be –said removable flatbed—for added clarity.

Line 19, "said stake members" should be –said stake members of said side panels" for added clarity.

Claim 29 – line 4, "of the subframe" should be deleted for added clarity. Line 7, --of said tailgate—should be inserted after "bottom" for added clarity.

Claim 33 – line 3, "all" should be deleted for added clarity.

Claim 35 – line 2, "side walls" should be –side panels—for consistency of terminology.

Line 4, "side wall" should be –side panel—for consistency.

Claim 36 – line 3, "side walls" should be –side panels—for consistency of terminology.

Line 4, "side walls" should be –side panels—for consistency. Line 5, "projections" should be –members on said side panels—for consistency of terminology/added clarity.

Claim 37 – line 3, “said flat bed” should be –said removable flatbed—for added clarity.

Claim 38 – line 3, “side walls” should be –side panels—for consistency of terminology.

Line 4, “side walls” should be –side panels—for consistency. Finally, in line 3, --said vertical and horizontal stakeholders defining—should be inserted before “connecting structure” for added clarity.

Claim 39, – line 2, “side walls” should be –side panels—for consistency of terminology.

Claim 40 – line 16, “said flat bed” should be –said removable flatbed—for added clarity.

Line 17, “said stake members” should be –said stake members on said side panels” for added clarity.

Claim 42 – line 2, “side walls” should be –side panels—for consistency of terminology.

Line 4, “side wall” should be –side panel—for consistency.

Claim 43 – line 3, “side walls” should be –side panels—for consistency of terminology.

Line 4, “side walls” should be –side panels—for consistency. Line 5, “projections” should be –members on said side panels—for consistency of terminology/added clarity.

Claim 44 – line 3, “said flat bed” should be –said removable flatbed—for added clarity.

Appropriate correction is required.

6. Claims 1, 2, 4, 7, and 29-44 are objected to for the minor informalities noted above but are otherwise allowable.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. This application is in condition for allowance except for the following formal matters:

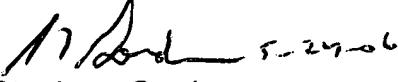
See minor informalities detailed in paragraphs 2, 3, 4, and 5 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gordon whose telephone number is (571) 272-6661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Stephen Gordon
Primary Examiner
Art Unit 3612

stg